

The Honorable David G. Estudillo

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

JENNIFER DEGROSS and SHANE
DEGROSS,

Plaintiffs,

v.

ROSS HUNTER, in his personal capacity
and in his official capacity as Secretary of
the Washington State Department of
Children, Youth, and Families, NATALIE
GREEN, in her official capacity as Assistant
Secretary of Child Welfare Field Operations,
RUBEN REEVES, in his official capacity as
Assistant Secretary of Licensing, and
JEANINE TACCHINI, in her official
capacity as Senior Administrator of Foster
Care Licensing,

Defendants.

NO. 3:24-cv-05225-DGE

STIPULATED MOTION TO
STAY

NOTE ON MOTION CALENDAR:
SEPTEMBER 16, 2024

I. MOTION

Pursuant to Local Civil Rules 7(d)(1) and 10(g), the parties to the above-captioned case, by and through their undersigned attorneys, have stipulated to and hereby jointly request a stay of proceedings in this matter, and in support thereof, further state as follows:

1. Plaintiffs filed a complaint against the Defendants on March 22, 2024 alleging Defendants failed to renew their foster-care license in violation of their First and Fourteenth Amendment rights. Dkt. No. 1.

2. Defendants filed a motion to dismiss the complaint on May 6, 2024, arguing that Plaintiffs lacked standing to sue. Dkt. No. 13.

3. Plaintiffs responded to the Defendants' motion to dismiss on June 10, 2024, and requested the Court grant jurisdictional discovery to address the issue of standing. Dkt. No. 22.

4. The Court entered an order denying Defendants' motion to dismiss without prejudice and granted additional time for the parties to conduct jurisdictional discovery. Dkt. No. 25.

5. On July 19, 2024, the Defendants filed a motion for an additional four-month extension for Initial Deadlines and Scheduling Conference dates in order for the parties to focus on jurisdictional discovery related to the Defendants' Motion to Dismiss. Dkt. No. 26.

6. The Court granted the Defendants' motion on August 2, 2024, and set Initial Case Deadlines and Scheduling Conference dates for December 2024. Dkt. No. 27.

7. The parties have since engaged in jurisdictional discovery related to Defendants' motion to dismiss.

8. The parties have also engaged in discussions about the potential value of Plaintiffs submitting a new foster-care license application.

9. Plaintiffs' previous foster-care license has expired.

10. Plaintiffs are now working with their preferred child-placing agency, Olive Crest, to complete and submit a new application.

11. Pending the outcome of that application, these efforts have the potential to resolve this litigation.

1 12. Staying proceedings pending Plaintiffs' current application process could
2 substantially simplify proceedings. A grant of licensure could lead to settlement. And a
3 denial of licensure would obviate the need for further jurisdictional discovery.

4 13. The parties ask for a 120-day stay and deadline for the parties to reach a
5 settlement or to update the court about the application process and to request additional
6 time as necessary.

7 14. The parties will promptly inform the Court of any material developments,
8 including a potential settlement, as soon as practicable.

9 **WHEREFORE**, Plaintiffs and Defendants jointly request that their Stipulated Motion
10 be granted, that the Court order the proceedings in this matter stayed for 120 days.

11 **II. STIPULATION**

12 IT IS HEREBY STIPULATED by the parties, through their undersigned counsel, that
13 this Court should enter an order providing that:

14 1. All proceedings in this matter are stayed and the parties are instructed to update
15 the Court no later than January 7, 2025 on the status of a potential settlement.

16 2. All case deadlines from the Scheduling Order, Dkt. #27, shall be stricken.

17 It is SO AGREED this 16th day of September, 2024.
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2 Attorney General

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Counsel for Plaintiff

Counsel for Plaintiff
**Admitted Pro Hac Vice*

ORDER

Having reviewed the foregoing stipulation and good cause appearing therefore, IT IS
HEREBY ORDERED:

1. All proceedings in this matter are stayed and the parties are instructed to update the Court no later than January 7, 2025 on the status of a potential settlement.
2. All case deadlines from the Scheduling Order, Dkt. #27, are stricken.

IT IS SO ORDERED.

DATED this 16th day of September 2024.



THE HONORABLE DAVID G. ESTUDILLO
United States District Court Chief Judge

Presented by:

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*Attorneys for Defendants Ross Hunter, Natalie Green,
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CERTIFICATE OF SERVICE

I hereby declare that on this day I caused the foregoing document to be electronically filed with the Clerk of the Court using the Court's CM/ECF System, which will serve a copy of this document upon all counsel of record.

DATED this 16th day of September 2024, at Olympia, Washington.

MADELINE EBEL
Assistant Attorney General